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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/608,039

06/30/2003

Sanjay Ghemawat

0026-0030

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44989

7590

09/11/2006

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EXAMINER

DAYE, CHELCIE L

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b> <b>Before the Filing of an Appeal Brief</b>	Application No. 10/608,039	Applicant(s) GHEMAWAT ET AL.	
	Examiner Chelcie Daye	Art Unit 2161	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 14 August 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on \_\_\_\_\_. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

#### AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because  
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);  
(b) ☐ They raise the issue of new matter (see NOTE below);  
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_. (See 37 CFR 1.116 and 41.33(a)).


4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).  
5. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
6. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  
The status of the claim(s) is (or will be) as follows:  
Claim(s) allowed: \_\_\_\_\_.  
Claim(s) objected to: \_\_\_\_\_.  
Claim(s) rejected: \_\_\_\_\_.  
Claim(s) withdrawn from consideration: \_\_\_\_\_.

#### AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).  
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).  
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

#### REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:  
See Continuation Sheet.  
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). \_\_\_\_\_.  
13. ☐ Other: \_\_\_\_\_.

  
**JOHN BREENE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**

Continuation of 11. does NOT place the application in condition for allowance because: i) Applicant argues, Mattis does not disclose renaming a file that is identified to be deleted. However, Mattis discloses at column 3, lines 16-19, the prior art was relied upon in order to reveal that renaming files are known within the art of garbage collection. Also, Mattis discloses at column 23, lines 15-23, marking a fragment to be deleted and as a result the fragment has an alternate name. ii) Applicant argues, Mattis does not disclose permanently deleting the renamed file a predetermined amount of time after renaming the identified file as part of a garbage collection process. However, column 16, lines 48-52 and column 22, lines 14-47 of Mattis, discloses an example of a permanent deletion as well as a predetermined amount of time needed. iii) Applicant argues, Mattis does not disclose identifying, to one of the servers, one of the chunks that corresponds to the permanently deleted file. However, Mattis discloses at column 33, lines 32-40, wherein a server responds to a message to search and identify an object. iv) Applicant argues, Mattis does not disclose the predetermined amount of time is a user-configurable amount of time. However, as discussed above Mattis discloses the predetermined amount of time and further discloses at 22, lines 8-23, wherein the user pre-programs the watermark values, thereby disclosing the user-configuration. v) Applicant argues, Mattis does not disclose identifying a stale chunk based on the versions of the chunks. However, Mattis discloses at column 26, lines 15-21, as stated in the previous office actions. vi) Applicant argues, Mattis does not disclose identifying stale replicas based on the associated version information. However, Mattis discloses at column 26, lines 15-21, as stated in the previous office actions. vii) Applicant argues, Mattis does not disclose identifying, to one of the servers, one of the replicas stored by the server that corresponds to one of the deleted stale replicas. However, Mattis discloses at column 26, lines 15-22, wherein the system refreshes an old object and deleting a stale copy of the object. viii) Applicant argues, Mattis does not disclose the version information for one of the replicas is updated each time a lease is granted for the one of the replicas. However, Mattis discloses at column 26, lines 8-15, sending response messages to the system in lieu of the received information. ix) Applicant argues, Mattis and Manley do not disclose restoring an original name to a renamed file without permanently deleting the renamed file. However, Mattis in view of Manley disclose pg.13, 0132, lines 1-8 and pg.7, 0067, lines 12-28 of Manley; wherein the system performs a rollback procedure to undo changes which have taken place and restoring the file to the original name. x) Applicant argues, Mattis and Hisgen do not disclose identifying, to one of the servers, one of the chunks that corresponds to one of the deleted orphaned chunks. However, Mattis in view of Hisgen disclose pg.24, 3, lines 4-5 of Hisgen, wherein an EchoBox is used to remove the file from the orphan list and delete the file.